

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff

v.

CRIMINAL DOCKET NO.7:23-CR-00523-1

VICTOR CANALES
Defendant

GILBERTO FALCON'S MOTION TO QUASH SUBPOENA

Gilberto Falcon requests this Honorable Court to quash the subpoena served to him on October 25, 2024 at 3:53 PM because:

1. Under Rule 17 of the Federal Rules of Criminal Procedure, on motion made promptly, the Court may quash or modify the subpoena if compliance would be unreasonable or oppressive. In this case, Gilberto Falcon was served with the Subpoena on Friday October 25, 2024 at approximately 3:53 PM. The subpoena in question orders Mr. Falcon to obtain “checks made payable to Starr County Attorney Office on behalf of Sara Cantu/Norberto Cantu, Jr.” Gilberto Falcon has made a diligent search and has not been able to find any records. In order to get banking records, Gilberto Falcon would have to schedule an appointment with his banker to see if they have any of the records requested. So far, Gilberto Falcon has no record of said checks. Gilberto Falcon believes that having a one Business day notice is unreasonable to comply with the subpoena. Having only one business day to obtain old business records is not enough time. In addition,

Gilberto Falcon is an attorney and will have to make scheduling arrangements to appear. At this point, it is very difficult for Gilberto Falcon to make said arrangements to appear at said hearing. Gilberto Falcon believes the notice of the subpoena is unreasonable.

For the reasons set forth herein, Gilberto Falcon respectfully requests this Honorable Court to quash the subpoena served on ABC Investigative Solutions, LLC.

Gilberto Falcon Law Firm

404 N. Britton Ave.,
Rio Grande City, Texas 78582
Tel. No. (956) 487-6363
Fax. No. (956) 487-6336
By: /s/ Gilberto Falcon

Gilberto Falcon
Texas Bar No. 24066525
gilberto@gilbertofalconlaw.com
ATTORNEY FOR PLAINTIFF